



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 28, 2011

Mr. Clint T. Griffin
For the County of Reagan
Kosub & Griffin, L.L.P.
P.O. Box 460
Eldorado, Texas 76936

OR2011-14160

Dear Mr. Griffin:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 436107.

The Reagan County Sheriff's Office (the "sheriff"), which you represent, received two requests for information pertaining to audio recordings of telephone conversations involving a named inmate. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim.

We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2011-05692 (2011). In that ruling, we concluded the sheriff must withhold the submitted information under section 552.101 of the Government Code in conjunction with constitutional privacy. We have no indication the law, facts, and circumstances on which Open Records Letter No. 2011-05692 was based have changed. Accordingly, we conclude the sheriff must continue to rely on Open Records Letter No. 2011-05692 as a previous determination and withhold the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/agn

Ref: ID# 436107

Enc. Submitted documents

c: Requestor
(w/o enclosures)